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Barristers & Solicitors-
Patent & Trade-mark Agents

McCarthy Tétrault LLP
Box 48, Suite 4700
Toronto Dominion Bank Tower
Toronto ON M5K 1E6
Canada
Telephone: 416 362-1812
Facsimile: 416 868-0673
mccarthy.ca

Joseph Conneely
Direct: 416-601-8179
Direct Fax: 416-868-0673
E-Mail: jconneely@mccarthy.ca



McCarthy Tétrault

January 17, 2007

VIA COURIER

United States Patent and Trademark Office
Customer Service Window
Office of Patent Publication
Attention: Certificates of Correction Branch
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314
U.S.A.

Certificate
JAN 23 2007
of Correction

Dear Commissioner for Patents:

RE: U.S. Patent No. 7,099,271
Inventor(s): Larry Friesen, et al.
For: System For Providing Fabric Activity Switch Control In A
Communications System
Docket No.: 123081-339750

Please find attached the following documents for filing with respect to the above patent:

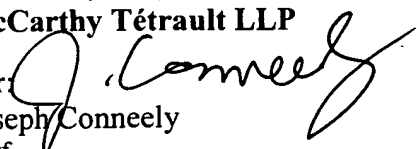
1. Transmittal Form (1 sheet);
3. Request for Certificate of Correction (9 pages); and,
4. Certificate of Correction (1 sheet).

The Commissioner is hereby authorized to charge all necessary fees and to credit Deposit Account No. 150633 in the name of McCarthy Tétrault LLP (Customer No. 27,155).

Please date stamp and return to us the enclosed "Return Receipt Postcard".
Thank you very much for your assistance in this matter.

Yours very truly,

McCarthy Tétrault LLP

Per: 
Joseph Conneely
JC/tf
/Enclosure

JAN 23 2007



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 11

Application Number	10/015,576
Filing Date	DECEMBER 17, 2001
First Named Inventor	LARRY FRIESEN
Art Unit	2663
Examiner Name	MIN JUNG
Attorney Docket Number	123081-339750

ENCLOSURES (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/
Incomplete Application
<input type="checkbox"/> Reply to Missing Parts
under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers

<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC

<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences

<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

<input type="checkbox"/> Proprietary Information

<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
REQUEST FOR CERTIFICATE OF
CORRECTION |
|--|--|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MCCARTHY TETRAULT LLP (CUST. NO. 27,155)		
Signature			
Printed name	JOSEPH CONNEELY		
Date	JANUARY 17, 2007	Reg. No.	54,883

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 23 2007

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,099,271

APPLICATION NO.: 10/015,576

ISSUE DATE : AUGUST 29, 2006

INVENTOR(S) : LARRY FRIESEN, ET AL.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 1, column 23, line 31: Insert a comma -- , -- after the word -- which --.

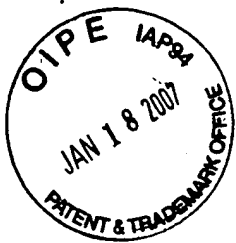
MAILING ADDRESS OF SENDER (Please do not use customer number below):

McCarthy Tetrault LLP, Box 48, Suite 4700, 66 Wellington Street West, Toronto, Ontario, Canada M5K 1E6
(File Number 123081-339750)

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 23 2007



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Patent No. : 7,099,271
Issued : August 29, 2006
Title : SYSTEM FOR PROVIDING FABRIC ACTIVITY SWITCH
CONTROL IN A COMMUNICATIONS SYSTEM
Applicant : Larry Friesen, et al.
Application No. : 10/015,576
Filed : December 17, 2001
Confirmation No. : 6264
Art Unit : 2663
Examiner : Min Jung
Docket No. : 123081-339750
Customer No. : 27,155

Commissioner of Patents
Office of Patent Publication
Attention: Certificates of Correction Branch
P.O. Box 1450
Alexandria, V.A. 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION

Sir:

The Applicant respectfully requests the issue of a Certificate of Correction for the above noted patent.

The error for which correction is requested was made by the Patent Office.

JAN 23 2007

The requested correction is as follows:

Claim 1, column 23, line 31: Insert a comma -- , -- after the word -- which --.

Please find enclosed a completed Form PTO/SB/44 ("Certificate of Correction") indicating the above correction.

The above correction is fully supported by Applicant's "Amendment" of January 5, 2006, a copy of which is enclosed for reference. In particular, with respect to the error, please see the listing for Claim 1 on page 2.

If necessary, the Commissioner is hereby authorized to charge all necessary fees and to credit Deposit Account No. 150633 in the name of McCarthy Tétrault LLP (Customer No. 27,155).

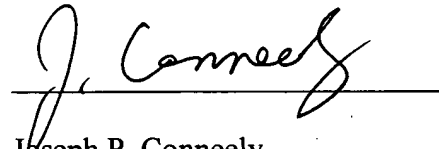
No new matter has been entered by the above corrections.

Respectfully submitted,

McCarthy Tétrault LLP

Date: January 17, 2007

By



Joseph P. Conneely
Registration No. 54,883
Telephone: (416) 601-8179
Fax: (416) 868-0673

McCarthy Tétrault LLP
Box 48, Suite 4700
66 Wellington Street West
Toronto Dominion Bank Tower
Toronto, Ontario, Canada
M5K 1E6

Enclosures

JAN 23 2007

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application. No. : 10/015,576
Title : SYSTEM FOR PROVIDING FABRIC ACTIVITY SWITCH
CONTROL IN A COMMUNICATIONS SYSTEM
Applicant : Larry Friesen et al.
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Confirmation No. : 6264
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Examiner : Min Jung
Docket No. : 123081-339750
Customer No. : 27,155

Commissioner of Patents
P.O. Box 1450
Alexandria, V.A. 22313-1450

AMENDMENT

Sir:

This is in response to the Office Action mailed October 18, 2005.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper; and,

Remarks/Arguments begin on page 6 of this paper.

JAN 23 2007

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1. (Currently Amended) A system for controlling switching fabrics in a communications switch platform having a data plane for processing data, including an active fabric having an ingress and an egress and establishing a first datapath, a redundant fabric having an ingress and an egress and establishing a second datapath, and a fabric switch selecting one of said fabrics to a system output, comprising:

a control plane for monitoring said processing of data, including: (i) a plurality of monitors operatively connected to monitor the status of elements in said active and redundant fabrics in the data plane; and (ii) a first fabric activity switch circuit adapted to determine whether said fault occurred in said active fabric, and if so, to generate a fabric activity switch signal directed to said fabric switch to switch to said redundant fabric, whereby, the control plane receives data plane fabric status inputs from the data plane and effects control over said fabric switch, but otherwise operates independently of said data plane ;

a redundant fabric activity switch circuit which, in the event of failure of said first fabric activity switch circuit, is adapted to determine whether said fault occurred in said active fabric in the data plane, and if so, to generate a fabric activity switch signal directed to said fabric switch, whereby, redundant control is provided over said fabric switch;

a plurality of redundant monitors operatively connected to monitor the status of said first fabric and said redundant fabric for a fault, whereby, redundant reporting paths are provided in the control plane for the status of said first and said redundant fabrics; and,

wherein said plurality of monitors and redundant monitors comprise a pair of shelf controllers per shelf, and each monitor and each redundant monitor of each pair of shelf controllers is connected by respective control service links to a first inter-shelf I/O interface card and a second inter-shelf I/O interface card, respectively, whereby shelf status information is provided across shelves to redundant I/O interfaces .

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2-4. (Cancelled)

5. (Currently Amended) The system in claim 1 ~~4~~, further comprising first and second inter-shelf management cards, each of said first and second inter-shelf management cards being cross-connected to each of said first and second inter-shelf I/O interface cards, whereby, multiple redundant paths are provided between said pairs of shelf controllers and said inter-shelf management cards.

6. (Original) The system in claim 5, further comprising first and second fabric activity switch control cards, each of said first and second fabric activity switch control cards being cross-connected to each of said first and second inter-shelf management cards, whereby, multiple redundant paths are provided between said pairs of shelf controllers and said fabric activity switch control cards.

7. (Original) The system in claim 6, further comprising a fabric override input adapted to generate a fabric activity switch signal directed to said fabric switch in the data plane, whereby, the selection of a fabric by the fabric activity switch circuit may be overridden.

8. (Original) The system in claim 1, further comprising a fabric override input adapted to generate a fabric activity switch signal directed to said fabric switch in the data plane, whereby, the selection of a fabric by the fabric activity switch circuit may be overridden.

9. (Currently Amended) The system in claim 5 ~~2~~, further comprising a fabric override input adapted to generate a fabric activity switch signal directed to said fabric switch in the data plane, whereby, the selection of a fabric by the fabric activity switch circuit may be overridden.

10. (Cancelled)

11. (New) A system for controlling switching fabrics in a communications switch including a plurality of input/output ("I/O") shelves interfacing with a first switching fabric and a second switching fabric, for selecting one of said first and second fabrics as an active switching fabric, comprising:

an I/O monitor provided in an access interface between each I/O shelf and the first and second switching fabrics, respectively, for generating respective first and second fabric status signals indicative of a fault on the access interface;

means in the first and second fabrics for generating respective first and second switching fabric status signals, indicative of a fault in one of the first and second switching fabrics, respectively; and,

a fabric activity switch circuit for selecting the first switching fabric as the active switching fabric if a fault is detected in the second switching fabric based on the first and second fabric status signals and the first and second switching fabric status signals.

12. (New) The system of claim 11 further comprising an interface, coupled to the fabric activity switch circuit, for receiving at least one of an override signal for overriding the selecting of the active switching fabric and a select signal for directing the selecting of the active switching fabric.

13. (New) The system of claim 12 wherein at least one of the override and select signals are provided by a control terminal.

14. (New) The system of claim 11 wherein the selecting of the active switching fabric occurs in under 60 milliseconds.

15. (New) A fabric activity switch circuit for a communications switch, the communications switch including at least one input/output ("I/O") device coupled to each of first and second switching fabrics, the circuit comprising:

a first interface for receiving first and second I/O status signals from the at least one I/O device, the first and second I/O status signals being indicative of respective faults in the first and second switching fabrics and being generated by respective monitors provided in the at least one I/O device;

a second interface for receiving first and second fabric status signals from the first and second switching fabrics, respectively, the first and second fabric status signals being indicative of respective faults in the first and second switching fabrics and being generated by respective monitors provided in the first and second switching fabrics; gates coupled to the first and second interfaces for generating an output signal for selecting the first switching fabric as an active switching fabric if a combination of the second I/O and fabric status signals indicate a fault in the second switching fabric and for selecting the second switching fabric as the active switching fabric if a combination of the first I/O and fabric status signals indicate a fault in the first switching fabric.

16. (New) The fabric activity switch circuit of claim 15 further comprising a third interface coupled to the gates for transmitting the output signal to a fabric switch for switching between the first and second switching fabrics.

17. (New) The fabric activity switch circuit of claim 16 further comprising redundant gates and redundant first, second, and third interfaces to improve reliability.

18. (New) The fabric activity switch circuit of claim 15 further comprising a fourth interface, coupled to the gates, for receiving at least one of an override signal for overriding the selecting of the active switching fabric and a select signal for directing the selecting of the active switching fabric.

19. (New) The fabric activity switch circuit of claim 18 wherein at least one of the override and select signals are provided by a control terminal.

20. (New) The fabric activity switch circuit of claim 15 wherein the switching between the first and second switching fabrics occurs in under 60 milliseconds.

REMARKS/ARGUMENTS

Claim 1 stands rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,850,704 to Dave ("Dave"). In addition, Claims 2-3 and 8-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Dave in view of U.S. Patent Application Publication No. 2002/0099972 by Walsh et al. ("Walsh").

The Examiner has objected to Claims 4-7 as being dependent upon a rejected base claim, but would allow these claims if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Application thanks the Examiner accordingly.

In view of the Examiner's comments with respect to Claims 4-7, Claim 1 has been amended to include the limitations of Claims 2-4, as suggested by the Examiner. Claims 2-4 have been cancelled accordingly. In addition, Claims 5 and 9 have been amended to make them depend from amended Claims 1 and 5, respectively, rather than from cancelled Claims 4 and 2, respectively. Furthermore, Claim 10 has been cancelled as amendment would have made it equivalent to Claims 8 or 9. Having amended Claim 1 to include the limitations of Claims 2-4, the Applicant believes that Claim 1 is patentable. In addition, the Applicant believes that Claims 5-9, being dependent on amended Claim 1, and adding patentable features thereto, are also patentable.

In addition, new Claims 11-20 have been added with a view to better defining the invention. New Claims 11-14 are directed towards a system for controlling switching fabrics in a communications switch while new Claims 15-20 are directed towards a fabric activity switch circuit for a communications switch. The Applicant believes that these new claims are fully supported by the specification (e.g., FIGS. 3, 12B, and paragraphs 0064-0100).

Please note that Claims 2-4 and 10 have been cancelled without prejudice in order to expedite prosecution of this application. The Applicant reserves the right to pursue these cancelled claims in a continuing application or otherwise.

No new matter has been entered by these amendments.

JAN 23 2007

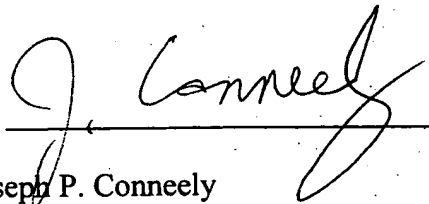
The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

McCarthy Tétrault LLP

Date: January 5, 2006

By



Joseph P. Conneely

Registration No. 54,883

Telephone: (416) 601-8179

Fax: (416) 868-0673

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Box 48, Suite 4700
66 Wellington Street West
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